

RECEIVED  
CENTRAL FAX CENTER

- 5 -

JUL 31 2008

B. Morse et al.  
Appl. No. 10/711,358***Remarks***

Claims 1-9, 11, 17 and 19-21 are pending in the application, with claims 1, 17, and 19 being the independent claims. Claims 10, 12-16, and 18 have been canceled with disclaimer of or prejudice to the subject matter disclosed therein. Claims 20 and 21 have been added. The amendments above do not add new matter and it is respectfully requested that they be entered.

Based on the above the above amendments and the following remarks, Applicants respectfully request reconsideration of the outstanding objections and rejections.

***Examiner Interview***

Applicants and Applicants' representative thank Examiner Guidotti for the courtesy extended during the July 19, 2006 interview. During the interview, inventor Bradford Morse and the undersigned showed Examiner Guidotti a sample of an embodiment of the invention. Applicants' representative also discussed amending the claims to distinguish the cited references. Examiner Guidotti noted that a further search may be required in view of any amendments to the claims.

***Objections to the Drawings***

Examiner Guidotti objected to the drawings for not showing every feature of the invention specified in the claims. In particular, Examiner Guidotti objected to the drawings for not showing that the shape of the outer surface of the drive unit is substantially elliptical

- 6 -

B. Morse et al.  
Appl. No. 10/711,358

or cylindrical, as recited in claims 5, 6, 8 and 9. Applicants respectfully traverse the objection because Figure 6B shows a substantially elliptical drive unit and Figure 6C shows a substantially cylindrical drive unit, as claimed. Examiner Guidotti also objected to the drawings for not showing the means to detect and display low battery power recited in claim 12, the alarm recited in claim 13, and the means to detect and indicate that the machine's motion is impeded as recited in claim 14. Claims 12-14 have been canceled, thereby rendering the objection moot. Accordingly, Applicants respectfully request that the Examiner withdraw the objections.

***Rejections Under 35 U.S.C. § 112***

Claims 2-14 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. In particular, Examiner Guidotti noted that the preamble in claims 2-14 does not match the preamble of claim 1 from which claims 2-14 depend. The amendments above make the preambles consistent, thereby overcoming the rejection. Applicants therefore respectfully request that the rejection be withdrawn.

***Rejections Under 35 U.S.C. § 102***

Claims 1, 2, 4, 10, 17, and 19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,550,089 to Ussen. Independent claims 1, 17 and 19 have been amended above to recite that the drive unit is "self-guided". Support for such an amendment can be found in the specification as filed at least in the abstract and paragraph

- 7 -

B. Morse et al.  
Appl. No. 10/711,358

[0011]. Independent claims 1, 17, and 19 have also been amended to recite that the sheet is a formed sheet constructed for a snug fit to the drive unit without the use of adhesives or fasteners. Support for such an amendment can be found at least in paragraph [0029] of the specification as filed. The Ussen patent does not disclose a "self-guided" drive unit. Instead, a remotely controlled case with wheels is used to guide the cleaning device. Thus, someone needs to control the case of the Ussen patent around a room to clean debris. The present invention, on the other hand, recites that the drive unit is self-guided. Therefore, once turned on, the device is placed in a room and it guides itself throughout the room such as by deflecting off objects, corners, and other obstacles in the room. Because the Ussen patent does not disclose each and every feature recited in independent claims 1, 17, and 18, the Ussen patent does not anticipate these claims. Claims 2, 4, and 10 depend from claim 1 and add features thereto, and therefore is not anticipated by the Ussen patent for at least the same reasons as claim 1. Accordingly, Applicants respectfully request that the rejection be withdrawn.

Claims 1-4, 7, 10-11, 14, 17, and 19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by JP 10-262881. Claims 10 and 14 have been canceled, thereby rendering their rejection moot. As noted above, independent claims 1, 17, and 19 have been amended to recite that the sheet is a formed sheet constructed for a snug fit to the drive unit without the use of adhesives or fasteners. The JP 10-262881 document does not disclose such a device. The rear face of the adhesion means (3) of the JP 10-262881 is attached to the sphere (1) using a binder or adhesives, as disclosed in paragraph [0033]. The JP-262881 document does not disclose an embodiment with a formed sheet constructed for a snug fit to the drive

- 8 -

B. Morse et al.  
Appl. No. 10/711,358

unit without the use of adhesives or fasteners. Accordingly, the JP 10-262881 document does not anticipate the invention recited in independent claims 1, 17, and 19. Claims 2-4, 7, and 11 depend from and add features to independent claim 1 and therefore are not anticipated by the JP 10-262991 document for at least the same reasons as claim 1. Accordingly, Applicants respectfully request that the rejection be withdrawn.

***Rejections Under 35 U.S.C. § 103***

Claims 5 and 8 stand rejected under 35 U.S.C. § 103 as being unpatentable over the JP 10-262881 document in view of U.S. Patent No. 3,696,557 to Ruppel. Examiner Guidotti relies on the Ruppel patent as disclosing an elliptical drive unit. However, claims 5 and 8 depend from amended independent claim 1. As noted above, the JP 10-262881 document does not disclose the formed sheet recited in amended independent claim 1. The Ruppel patent also fails to disclose such a formed sheet. Accordingly, even if combined, the references do not disclose the claimed subject matter. Applicants therefore respectfully request that the rejection be withdrawn.

Claims 6 and 9 stand rejected under 35 U.S.C. § 103 as being unpatentable over the JP 10-262881 document in view of U.S. Patent No. 2,977,714 to Gibson. Examiner Guidotti relies on the Gibson patent as disclosing a cylindrical drive unit. However, claims 6 and 9 depend from amended independent claim 1. As noted above, the JP 10-262881 document does not disclose the formed sheet recited in amended independent claim 1. The Gibson patent also fails to disclose such a formed sheet. Accordingly, even if combined, the

- 9 -

B. Morse et al.  
Appl. No. 10/711,358

references do not disclose the claimed subject matter. Applicants therefore respectfully request that the rejection be withdrawn.

Claims 1-3, 6, 9 and 10 stand rejected under 35 U.S.C. § 103 as being unpatentable over the Ussen patent document in view of U.S. Patent No. 3,742,547 to Sohmer. Claim 10 has been canceled, thereby rendering its rejection moot. Applicants note that claims 1 and 2 were also rejected as being anticipated by the Ussen patent. It is unclear why claims 1 and 2 were rejected under 35 U.S.C. § 103 if the Ussen patent allegedly discloses all of the features thereof. Regardless, as noted above, independent claim 1 has been amended to recite that the drive unit is "self-guided". As also explained above, the Ussen patent does not disclose such a self-guided drive unit. Further, the Sohmer patent does not disclose such a self-guided drive unit. Accordingly, even if combined, the combination does not disclose the features recited in amended independent claim 1. Claims 2, 3, 6, and 9 depend from and add features to independent claim 1, and are therefore patentable over the Ussen and Sohmer patents for at least the same reasons as amended claim 1. Applicants therefore respectfully request that the rejection be withdrawn.

Claims 12 and 13 stand rejected under 35 U.S.C. § 103 as being unpatentable over the JP 10-262881 document in view of U.S. Patent No. 5,435,035 to Fujimoto et al. Claims 12 and 13 have been canceled, thereby rendering their rejection moot.

### ***Conclusion***

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be

- 10 -

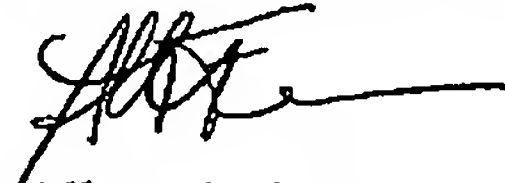
B. Morse et al.  
Appl. No. 10/711,358.

withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

MEDLER FERRO PLLC



Albert L. Ferro  
Attorney for Applicants  
Registration No. 44,679

Date: July 31, 2006

8607 Rockdale Lane  
Springfield, VA 22153  
(410) 788-7684